

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 27, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STEVEN G.,

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:23-CV-03187-ACE

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

ECF No. 15

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 15. Attorney Kathryn Ann Higgs represents Plaintiff; Special Assistant United States Attorney Julie A.K. Cummings represents Defendant. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion to Remand, **ECF No. 15**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council will direct the administrative law judge ("ALJ") to develop the record as necessary; evaluate all of the medical opinions and prior administrative medical findings in the record;

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

1 and provide Plaintiff an opportunity to submit additional evidence in support of his
2 claim and an opportunity for a new hearing. The ALJ shall take any further action
3 needed to complete the administrative record and issue a new decision.

4 2. **Judgment shall be entered for PLAINTIFF.**

5 3. Plaintiff's Opening Brief, **ECF No. 10**, is **STRICKEN AS MOOT**.

6 4. An application for attorney fees under the Equal Access to Justice
7 Act, 28 U.S.C. § 2412, may be filed by separate motion.

8 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
9 Order, forward copies to counsel, and **CLOSE THE FILE**.

10 DATED March 27, 2024.



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A handwritten signature in blue ink that reads "Alexander C. Ekstrom". The signature is written in a cursive, flowing style.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE